

APPENDIX F

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
(OAKLAND DIVISION)**

**IN RE: COLLEGE ATHLETE NIL
LITIGATION**

Case No. 4:20-cv-03919-CW

**DECLARATION OF MARC
EDELMAN IN SUPPORT OF
OBJECTION TO SETTLEMENTS
ON BEHALF OF CLASSES OF
PAST, CURRENT AND FUTURE
NCAA COLLEGE ATHLETES**

Hon. Claudia Wilken

1 1. My name is Marc Edelman. I am a tenured Professor of Law at the Zicklin School
2 of Business, Baruch College, City University of New York, where I teach business students and
3 write in areas including sports law, sports business and governance, antitrust law, gaming law, and
4 intellectual property law. In addition, I have served as the Director of Sports Ethics at the Robert
5 Zicklin Center for Corporate Integrity since January 2021 and as an adjunct professor for a course
6 on Law & Professional Sports at Fordham Law School since 2010. In the Spring of 2025, I will be
7 serving an adjunct professor at Cardozo Law School, where I will teach a three-credit course on
8 Antitrust Law.

9 2. I earned a B.S. in Economics from the University of Pennsylvania's Wharton
10 School, an M.A. in Kinesiology (Sports Management) from the University of Michigan, and an
11 M.S. in Higher Education Administration from the Marx School of Public and International
12 Affairs at Baruch College. In addition, I have a J.D. from Michigan Law School. I lecture
13 nationally, and occasionally internationally, on the business structure, law, ethics and economics
14 of intercollegiate sports. In 2023, I served as a U.S. Fulbright Scholar, performing legal research
15 on the topic of "College Athlete Rights as Human Rights."

16 3. Over the course of my academic career, I have published two books, one book
17 chapter and more than 75 law review articles, many of which relate to the U.S. college sports
18 system and/or the NCAA. Among my many law review articles, I have three forthcoming articles
19 that in some way reference this specific litigation. These three articles are available for download
20 on the Social Science Research Network, under the following titles:

- 21 • *Life After Employee Status in College Sports*, __ FORDHAM LAW REVIEW __ (2025)
22 (co-authored with John Holden & Michael McCann) (publication forthcoming).
- 23 • *Of Labor, Antitrust, and Why the Proposed House Settlement Will Not Solve the*
24 *NCAA's Problem*, __ FORDHAM LAW REVIEW __ (2025) (co-authored with Michael
25 Carrier) (publication forthcoming).
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- *(Still) Anticompetitive College Sports*, 66 BOSTON COLLEGE LAW REVIEW (2025) (co-authored with John Holden & Michael McCann) (publication forthcoming).

My full curriculum vitae, including all academic publications, is attached hereto as

Appendix A.

4. I have been asked by Michael Hausfeld, Chair Emeritus to the law firm Hausfeld, to provide a declaration summarizing my opinion on the proposed settlement of *House v. NCAA*, *Hubbard v. NCAA* and *Carter v. NCAA* (collectively “the House Settlement”). This declaration is based on my past legal research on the topic, my overall knowledge of college sports and antitrust law, and materials that have been provided to me by the lawyers at Hausfeld that are cited herein. I am being compensated for my work at a flat rate of \$10,000. My compensation is in no way dependent on the outcome of this matter.

5. It is my understanding that the proposed House Settlement seeks to replace the NCAA’s longstanding Principle of Amateurism that prevents NCAA member schools from directly compensating their athletes. Under the new system, there would instead be a cap on the amount of money that any single NCAA member school may pay in an academic year to its athletes. My understanding is that this salary cap is currently set at approximately \$21 million per year, would include pay made by collectives of boosters, and would be subject to modification pursuant to an agreed-upon formula.

6. It is my opinion that the salary cap imposed by the House Settlement constitutes an unreasonable restraint of trade in violation of Section 1 of the Sherman Act. It is entirely irrelevant to this inquiry whether the amount of money designated as the proposed salary cap would be subjectively fair to an outside observer. This is because federal antitrust laws are about protecting free market prices, and not one’s subjective belief as to what might be a fair or reasonable price.¹

¹ See *United States v. Trans-Missouri Freight Ass’n*, 166 U.S. 290, 331-23 (1897) (explaining that federal antitrust law does not make a subjective inquiry into the reasonableness of prices).

1 7. Salary caps, as a matter of course, are a form of wage fixing that, unless otherwise
2 exempted from federal antitrust laws, typically are deemed to be unreasonable. This is because
3 salary caps artificially limit the amount of money that teams may spend on player contracts. Once
4 a team (here, a college) reaches its maximum permitted allocation under the salary cap, it cannot
5 sign additional players or increase its payment to existing players.

6 8. In terms of their competitive effects, salary caps can lead to inefficiencies in overall
7 markets. Salary caps often have a deflationary effect on overall athlete salaries. Salary caps also
8 may serve to the detriment of consumers of both live and televised sporting broadcasts by
9 preventing end-consumers from signaling their preference for seeing the best athletes perform for
10 their favorite teams. This last point is especially true in the context of the proposed House
11 Settlement salary cap, which would allocate payments from consumers as boosters toward the
12 salary limit permitted under the salary cap.

13 9. While the National Football League and National Basketball Association also
14 maintain salary caps, their salary caps are legally differentiable from the cap established by the
15 House Settlement because the NFL and NBA caps are exempted from antitrust scrutiny by the
16 non-statutory labor exemption—a special exemption from antitrust law that is needed for
17 “harmonizing the Sherman Act with the national policy expressed in the National Labor Relations
18 Act of promoting the peaceful settlement of industrial disputes by subjecting labor-management
19 controversies to the mediatory influence of negotiation.”²

20 10. As the U.S. Supreme Court explained in *Brown v. Pro Football Inc.*, the non-
21 statutory labor exemption is a court-created exemption from federal antitrust laws for the products
22 of good-faith collective bargaining negotiations within a recognized multiemployer bargaining
23 unit. Courts recognize the non-statutory labor exemption from antitrust law because, “[a]s a matter
24 of logic, it would be difficult, if not impossible, to require groups of employers and employees to
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27 ² *United Mine Workers of America v. Pennington*, 381 U.S. 657, 665 (1965) (internal
28 citations and quotations omitted).

1 bargain together [under federal labor law], but at the same time to forbid them [under antitrust law]
2 to make among themselves or with each other *any* of the competition-restricting agreements
3 potentially necessary to make the process work or its results mutually acceptable.”³

4 11. The salary cap proposed by the House Settlement falls far outside of the scope of
5 the non-statutory labor exemption because it is not the product of a good-faith collective
6 bargaining negotiation between a players union and a multiemployer bargaining unit. Not only did
7 the NCAA member schools not attempt to engage in collective bargaining over the terms of the
8 proposed House Settlement, but there is not even, at present, a union certified to bargain on behalf
9 of an overwhelming majority of the athletes included in the proposed House Settlement.

10 12. If the proposed House Settlement had been the product of collective bargaining
11 between a college-athlete players union and a multiemployer bargaining unit, which it was not, the
12 players union would owe current and future college athletes a duty of fair representation. This duty
13 would have required a theoretical union, before agreeing to the settlement, to ensure that the
14 settlement was not arbitrary, nor discriminatory nor reached in bad faith. Absent the existence a
15 players union, it is not entirely clear that the college athletes that the parties seek to bind by the
16 House Settlement would enjoy these same legal protections.

17 13. Adding even more confusion to the proposed settlement, on December 12, 2024,
18 three college-athlete plaintiffs, namely Grant House, Sedona Prince and Nya Harrison, wrote a
19 letter to the court requesting its help in having Athletes.org become the exclusive players’
20 association for all college athletes.⁴ This letter is peculiar in a number of respects, including that
21 these three particular players have chosen Athletes.org as their preferred representative, even
22 though the association’s founder, Jim Cavale, is quoted in an August 23, 2023 article as stating
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26 ³ *Brown v. Pro Football Inc.*, 518 U.S. 231, 236 (1996).

27 ⁴ See Letter from Grant House, Sedona Prince & Nya Harrison to Senior District Judge
Claudia Wilken, Case 4:20-cv-03919-CW, Document 580 (Dec. 12, 2024).

1 “Athletes aren’t employees,”⁵ “Athletes.org is not a union and has no such plans to unionization,”⁶
 2 and that Athletes.org is meant to “work collaboratively with college administrative leaders.”⁷
 3 Cavale’s views are arguably not in the best interests of college athletes in revenue-generating
 4 sports, whom reasonably meet the legal definition of employees and thus may form true, NLRB-
 5 recognized unions to collectively bargain on their behalf, rather than mere trade associations
 6 masquerading as union-like structures.

7 14. While the proposed House Settlement sparks myriad concerns, there are at least
 8 three more reasonable ways than agreeing to a salary cap that the parties could have resolved their
 9 antitrust disputes:

10 a. The parties could have agreed for the NCAA member schools to lift their restraints
 11 on college athlete compensation and replace these restraints with free market principles in
 12 which individual colleges would compete with each other for athletes’ labor services.

13 b. The parties could have agreed for the NCAA member schools to shift their
 14 compensation rules from the national level to the individual conference level, thus allowing
 15 for at least four separate conferences, each presumably without market power, to compete
 16 against one another for athlete services.

17 c. The parties could have allowed for college athletes to pursue the traditional path
 18 toward unionization, with the NCAA member schools thereafter bargaining in good faith
 19 with the duly recognized union or unions representing the athletes. Under this approach,
 20 the products of the collective bargaining negotiations between NCAA member schools and
 21 the athletes’ union (or unions) would truly be exempt from antitrust scrutiny by the non-
 22 statutory labor exemption.

25 ⁵ Ross Dellenger, *With College Sports More in Flux than Ever Before*, New Players
 26 Association Group Emerges, Yahoo!, (Aug. 23, 2023), <https://sports.yahoo.com/with-college-sports-more-in-flux-than-ever-before-new-players-association-group-emerges-125601456.html>.

27 ⁶ *Id.*

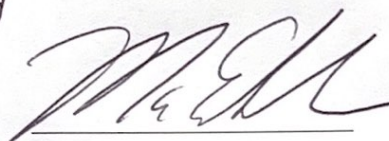
⁷ *Id.*

1 those included in the original proposed settlement; and (5) the NFLPA members voting to ratify
 2 the proposed antitrust settlement as part of a new collective bargaining agreement, all before the
 3 court granted final approval.⁸

4 16. Any efforts by House, Prince and Harrison to ask the court to help in making
 5 Athletes.org, a self-described non-union, into the exclusive players' association for all college
 6 athletes would not amount to the traditional path toward unionization as described in the paragraph
 7 immediately above. The creation of a mere trade association of college athletes is entirely different
 8 from creating a players union over which the National Labor Relations Board may assert
 9 jurisdiction. In certain contexts, the behaviors of an industry-wide trade association of non-
 10 unionized workers may, in itself, even become subject to antitrust scrutiny.

11 I declare under penalty of perjury that the foregoing is true and correct.

12 Executed January 15, 2025 in New York, NY



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14 Professor Marc Edelman
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27 ⁸ See *White v. NFL*, 836 F. Supp. 1458 (D. Minn. 1993).

APPENDIX A

Marc Edelman

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Faculty Appointments

Department of Law, Zicklin School of Business, Baruch College, City University of New York (CUNY): New York, NY

- Tenured Professor of Law & Director of Sports Ethics at the Robert Zicklin Center for Corporate Integrity (January 2021 – Present)
- Tenured Professor of Law (August 2016 – Present)
- Associate Professor of Law (August 2013 – August 2016)
 - All course teaching evaluations, in all courses taught since joining the faculty, are 4.5/5.0 or higher
 - Received Teaching Excellence Award, awarded by the Baruch College administration (May 2015)
 - Past and present service roles include: serving as Baruch College's Faculty Athletic Advisor to the NCAA, serving as a member of the Zicklin School Executive Committee, serving as a member of Law Department Executive Committee, serving as a member of the Law Department Hiring Committee, and serving as a member of the Law Department Curriculum Committee

Fordham University School of Law: New York, NY

- Adjunct Professor of Law (2010 – Present)
 - Teach two credit course on Law & Professional Sports, twice per year.
 - Organizing host of *Fordham Law Review* Fall 2024 symposium, entitled "Reforming College Sports"
 - Supervisor of independent study and research projects in sports law
 - Advisor to Fordham Sports Law Forum
 - All course teaching evaluations, in all courses taught, are 4.5/5.0 or higher.

Cardozo School of Law: New York, NY

- Adjunct Professor of Law (2025 – Present)
 - Teach three credit course on Federal Antitrust once per year.

Rutgers University School of Law: Camden, NJ

- Visiting Lecturer, 1L Contracts (100+ student class) (Fall 2021)
 - Overall rating for Teaching Effectiveness: 4.80/5.00 (98 student responses)
 - Overall rating for Course Quality: 4.79/5.00 (100 student responses)
- Visiting Assistant Professor of Law (August 2008 – July 2009)

The Wharton School, University of Pennsylvania: Philadelphia, PA

- Visiting Lecturer (Fall 2019)

Dwayne O. Andreas School of Law: Orlando, FL

- Associate Professor of Law (2012 – 2013); Assistant Professor (2009-2012)
 - Professor of the Year, awarded by Entire Student Body (2012-13)
 - All course teaching evaluations, in all courses taught, are 4.5/5.0 or higher
 - Service roles included faculty advisor to both the Black Law Students Association and the Jewish Law Students Association and member of Mission Effectiveness Committee

Books

1. ESPORTS AND THE LAW: A GAME PLAN FOR LEGAL AND BUSINESS TRENDS (American Bar Association, 2021) (coauthored with Thomas A. Baker, John Holden & Rebecca Rosenthal).
2. CAREERS IN SPORTS LAW (American Bar Association, 2014) (coauthored with Geoffrey Christopher Rapp).

Book Chapters

3. M. Edelman (2023). Sustainable Sports Stadiums, In: Idowu, S., Schmidpeter R., Capaldi, N., Zu, L., Del Baldo, M, Abreu, R. (eds) Encyclopedia of Sustainable Management, Springer, Cham.

General Law Review Articles and Essays

4. *Life After Employee Status in College Sports*,__ FORDHAM LAW REVIEW __ (2025) (co-authored with John Holden & Michael McCann) (publication forthcoming).
5. *Of Labor, Antitrust, and Why the Proposed House Settlement Will Not Solve the NCAA's Problem*,__ FORDHAM LAW REVIEW __ (2025) (co-authored with Michael Carrier) (publication forthcoming).
6. *(Still) Anticompetitive College Sports*, 66 BOSTON COLLEGE LAW REVIEW __ (2025) (co-authored with John Holden & Michael McCann) (publication forthcoming).
7. *The Re-Monopolization of the Sports Trading Card Industry*, 2025 ILLINOIS LAW REVIEW LAW __ (2025) (coauthored with Nathaniel Grow & John Holden) (publication forthcoming).
8. *Baseball's Anticompetitive Antitrust Exemption*, 65 BOSTON COLLEGE LAW REVIEW 1695 (2024) (coauthored with John Holden).
9. *An Antitrust Analysis of the NCAA Transfer Policy*, 11 TEXAS A&M LAW REVIEW. 999 (2024) (co-authored with Michael Carrier)
10. *The Collegiate Employee Athlete*, 2024 ILLINOIS LAW REVIEW LAW (2024) (coauthored with John Holden & Michael McCann)

11. *Legalized Sports Wagering in America*, 38 CARDOZO LAW REVIEW 1627 (2023) (coauthored with John Holden & Keith Miller)
12. *A Short Treatise on College-Athlete Name, Image and Likeness Rights: How America Regulates College Sports's New Economic Frontier*, 57 GEORGIA LAW REVIEW 1 (2022) (coauthored with John Holden & Michael McCann).
13. *After Alston: Reimagining the Governance Structure of College Sports for the Twenty-First Century*, 74 FLORIDA LAW REVIEW 427 (2022) (coauthored with Thomas A. Baker, John Holden & Dr. Andrew Shuman).
14. *U.S. Fantasy Sports Law: Fifteen Years After UIGEA*, 83 OHIO STATE LAW JOURNAL 117 (2022) (coauthored with John Holden & Adam Wandt)
15. *Sports Diplomacy at its Tipping Point: Can NBA China Survive a Culture Clash over Free Speech Norms?*, 53 CONNECTICUT LAW REVIEW 913 (2022).
16. *Monopolizing Sports Data*, 63 WILLIAM & MARY LAW REVIEW 69 (2021) (coauthored with John Holden).
17. *Regulating Vice: What the U.S. Marijuana Industry Can Learn from State Governance of Sports Gambling*, 2021 UNIVERSITY OF ILLINOIS LAW REVIEW 1051 (2021) (coauthored with John Holden).
18. *Exploring College Sports in the Time of COVID-19: A Legal, Medical, and Ethical Analysis* 2021 MICHIGAN STATE LAW REVIEW 469 (2021) (coauthored with Thomas A. Baker, John Holden & Dr. Andrew Shuman).
19. *Global Sports Leagues and China's Free Speech Problem* 95 TULANE LAW REVIEW 821 (2021) (coauthored with Thomas A. Baker and John Holden).
20. *A Short Treatise on Sports Gambling and the Law: How America Regulates its Most Lucrative Vice*, 2020 UNIVERSITY OF WISCONSIN LAW REVIEW 907 (2020) (coauthored with John Holden).
21. *College Football in the Time of COVID-19*, 2020 UNIVERSITY OF WISCONSIN LAW REVIEW FORWARD 101 (2020) (coauthored with Thomas A. Baker & John Holden) (solicited manuscript).
22. *The #E-Too Movement: Fighting Back Against Sexual Harassment in Electronic Sports*, 52 ARIZONA STATE LAW JOURNAL 1 (2020) (coauthored with Thomas A. Baker & John Holden).
23. *A Short Treatise on Esports and the Law: How America Regulates its Next National Pastime*, 2020 UNIVERSITY OF ILLINOIS LAW REVIEW 509 (2020) (coauthored with John Holden & Thomas A. Baker).

24. *Vaulted into Victims: Preventing Further Sexual Abuse in U.S. Olympic Sports through Unionization and Improved Governance*, 61 ARIZONA LAW REVIEW 463 (2019) (coauthored with Jennifer Pacella).
25. *College Athletics: The Chink in the Seventh Circuit’s “Law and Economics” Armor*, 117 MICHIGAN LAW REVIEW ONLINE 90 (2019) (coauthored with Michael Carrier).
26. *Regulating Sports Gambling in the Aftermath of Murphy v. National Collegiate Athletic Association*, 26 GEORGE MASON LAW REVIEW 313 (2018).
27. *Debunking the NCAA’s Myth that Amateurism Conforms with Antitrust Law: A Legal and Statistical Analysis*, 85 UNIVERSITY OF TENNESSEE LAW REVIEW 661 (2018) (coauthored with Thomas A. Baker & Nick Wantanabe).
28. *Standing to Kneel: Analyzing NFL Players’ Freedom to Protest during the Playing of the U.S. National Anthem*, 86 FORDHAM LAW REVIEW ONLINE 1 (2018) (solicited manuscript).
29. *The Future of Sexual Harassment Policies at U.S. Colleges: From Repeal of the 2011 DOE-OCR Guidelines to Launch of the #MeToo Movement on Social Media*, 12 WAKE FOREST LAW REVIEW ONLINE 12 (2018).
30. *Exploring Gender Minorities’ Bathroom Rights under the Donald Trump Presidency*, 56 UNIVERSITY OF LOUISVILLE LAW REVIEW 381 (2018).
31. *From Student-Athletes to Employee-Athletes: Why a ‘Pay for Play’ Model of College Sports Would Not Necessarily Make Educational Scholarships Taxable*, 58 BOSTON COLLEGE LAW REVIEW 1137 (2017).
32. *The Future of College Athletes Players Unions: Lessons Learned from Northwestern University and Potential Next Steps in the College Athletes Rights Movement*, 38 CARDOZO LAW REVIEW 1627 (2017).
33. *Regulating Fantasy Sports*, 92 INDIANA LAW JOURNAL 653 (2017) (cited by Illinois Supreme Court in *Dew-Becker v. Wu*).
34. *Navigating the Legal Risks of Daily Fantasy Sports: A Detailed Primer in Federal and State Gambling Law*, 2016 UNIVERSITY OF ILLINOIS LAW REVIEW 117 (2016).
35. *In Defense of Sports Antitrust Law: A Response to Law Review Articles Calling for the Administrative Regulation of Commercial Sports*, 72 WASHINGTON & LEE LAW REVIEW ONLINE 210 (2015).
36. *The District Court Decision in O’Bannon v. National Collegiate Athletic Association: A Small Step Forward for College Athlete Rights, and a Gateway for Far Grander Change*, 71 WASHINGTON & LEE LAW REVIEW 2319 (2014).
37. *The NCAA’s ‘Death Penalty’ Sanction: Reasonable Self-Governance or an Illegal Group Boycott in Disguise?*, 18 LEWIS & CLARK LAW REVIEW 385 (2014).

38. *The Future of Amateurism after Antitrust Scrutiny: Why a Win for the Plaintiffs in the NCAA Student-Athlete Name & Likeness Licensing Litigation Will Not Lead to the Demise of College Sports*, 92 OREGON LAW REVIEW 1019 (2014) (symposium edition).
39. *A Short Treatise on Amateurism and Antitrust Law: Why the NCAA's 'No Pay' Rules Violate Section One of the Sherman Act*, 64 CASE WESTERN RESERVE LAW REVIEW 61 (2013).
40. *Closing the 'Free Speech' Loophole: Protecting College Athletes' Publicity Rights in Commercial Video Games*, 65 FLORIDA LAW REVIEW 553 (2013).
41. *Collectively Bargained Age/Education Requirements: A Source of Antitrust Risk for Sports Club-Owners or Labor Risk for Players Unions?*, 114 PENN STATE LAW REVIEW 341 (2010) (coauthored with Joseph Wacker).
42. *Does the NBA Still Have Market Power? Exploring the Antitrust Implications of an Increasingly Global Market for Men's Basketball Player Labor*, 41 RUTGERS LAW JOURNAL 549 (2010).
43. *Are Commissioner Suspensions Really any Different from Illegal Group Boycotts? Analyzing Whether the NFL Personal Conduct Policy Illegally Restrains Trade*, 58 CATHOLIC UNIVERSITY LAW REVIEW 631 (2009).
44. *Moving Past Collusion in Major League Baseball: Healing Old Wounds and Preventing New Ones*, 54 WAYNE LAW REVIEW 601 (2008).
45. *How to Prevent High School Hazing: A Legal, Ethical and Social Primer*, 81 NORTH DAKOTA LAW REVIEW 309 (2005).
46. *Addressing the High School Hazing Problem: Why Lawmakers Need to Impose a Duty to Act on School Personnel*, 25 PACE LAW REVIEW 15 (2004).

Specialty Law Review and Interdisciplinary Journal Articles

47. *Sportswashing with Chinese Characteristics*, __ JOURNAL OF LEGAL ASPECTS OF SPORT __ (2024) (forthcoming).
48. *Regulatory Categorization and Arbitrage: How Daily Fantasy Sports Companies Navigated Regulatory Categories Before and After Legalized Gambling*, 57 AMERICAN BUSINESS LAW JOURNAL 113 (2020) (coauthored with John Holden & Christopher McLeod).
49. *The NCAA's Agent Certification Program: A Critical and Legal Analysis*, 11 HARVARD SPORTS & ENTERTAINMENT LAW JOURNAL 155 (2020) (coauthored with Richard Karcher).
50. *Chartering the Future of Intercollegiate Athletics at the City University of New York – A Legal Ethical and Financial Case Study*, 19 VIRGINIA SPORTS & ENTERTAINMENT LAW JOURNAL 119 (2020).
51. *Redesigning U.S. Intercollegiate Athletics to Better Conform with UNESCO's Best Practices in Student Affairs*, 29 JOURNAL OF LEGAL ASPECTS OF SPORT 186 (2019).

52. *Assessing the Department of Education's Proposed 2018 Revisions to its Regulations under Title IX of the Education Amendments Act*, 9 WAKE FOREST JOURNAL OF LAW & POLICY 155 (2019).
53. *Lack of Integrity? Rebutting the Myth that U.S. Commercial Sports Leagues Have an Intellectual Property Right to Sports Gambling Proceeds*, 15 N.Y.U. JOURNAL OF LAW & BUSINESS 1 (2018).
54. *From Meerkat to Periscope: Does Intellectual Property Law Prohibit the Live Streaming of Commercial Sporting Events*, 39 COLUMBIA JOURNAL OF LAW & THE ARTS 469 (2016).
55. *A Sure Bet: The Legal Status of Daily Fantasy Sports*, 5 PACE INTELLECTUAL PROPERTY, SPORTS & ENTERTAINMENT LAW JOURNAL 1 (2016) (keynote address, solicited article).
56. *Bleeding by the Numbers: Rush Versus Cobbett*, THE PHAROS (Alpha Omega Alpha Honor Medical Society) 10 (2014) (coauthored with Andrew Shuman, MD & Joseph Fins).
57. *Disarming the Trojan Horse of the UAAA and SPARTA: How America Should Reform its Sports Agent Laws to Conform with True Agency Principles*, 4 HARVARD JOURNAL OF SPORTS & ENTERTAINMENT LAW 145 (2013).
58. *How Young American Athletes Can Best Challenge A Bureaucracy that Prevents Them from Earning a Living*, 9 DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS 135 (2013) (speech, solicited article).
59. *A Short Treatise on Fantasy Sports and the Law: How America Regulates its New National Pastime*, 3 HARVARD JOURNAL OF SPORTS & ENTERTAINMENT LAW 1 (2012) (lead article).
60. *Economic Realities and Legal Issues of Professional Athletes*, 8 DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS 133 (2012) (speech, solicited article).
61. *Upon Further Review: Will the NFL's Trademark Licensing Practices Survive Full Antitrust Scrutiny?* The Remand of *American Needle v. Nat'l Football League*, 16 STANFORD JOURNAL OF LAW, BUSINESS & FINANCE 183 (2011) (lead article).
62. *A Different Look at Compliance in Professional Sports: Why the NFL Personal Conduct Policy Might Be More Illegal than the Very Conduct it Seeks to Regulate*, 7 DEPAUL JOURNAL OF SPORTS LAW & CONTEMPORARY PROBLEMS 89 (2011) (speech, solicited article).
63. *A Sobering Conflict: A Call for Consistency in the Messages Colleges Send about Alcohol*, 20 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 1389 (2010) (solicited manuscript) (coauthored with David Rosenthal).
64. *Antitrust and 'Free Movement' Risks of Expanding American Professional Sports Leagues into Europe*, 29 NORTHWESTERN JOURNAL OF INTERNATIONAL LAW & BUSINESS 403 (2009) (coauthored with Brian Doyle).

65. *Could a New Women's Professional Soccer League Survive in America? How Returning to the Traditional League Structure Might Save More than Just a Game*, 19 SETON HALL JOURNAL OF SPORTS & ENTERTAINMENT LAW 283 (2009) (solicited manuscript) (coauthored with Elizabeth Masterson).
66. *The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums from 1953 through the Present*, 16 VILLANOVA SPORTS & ENTERTAINMENT LAW JOURNAL 257 (2009) (speech, solicited article).
67. *Sports and the City: How to Curb Sports Teams' Demands for Free Public Stadiums*, 6 RUTGERS JOURNAL OF LAW & PUBLIC POLICY 35 (2008) (solicited manuscript).
68. *Analyzing the WNBA's Mandatory Age/Education Policy from a Legal and Ethical Perspective*, 3 NORTHWESTERN JOURNAL OF LAW & SOCIAL POLICY 1 (2008) (coauthored with C. Keith Harrison).
69. *Why the Single Entity Defense Can Never Apply to NFL Clubs: A Primer on Property Rights Theory in Professional Sports*, 18 FORDHAM INTELLECTUAL PROPERTY, MEDIA & ENTERTAINMENT LAW JOURNAL 891 (2008).
70. *Do Major League Baseball Clubs Risk Losing Another Collusion Grievance?* 24 LOYOLA OF LOS ANGELES ENTERTAINMENT LAW JOURNAL 159 (2004).
71. *How to Curb Professional Sports' Bargaining Power vis-à-vis the American City*, 2 VIRGINIA SPORTS & ENTERTAINMENT LAW JOURNAL 280 (2003).
72. *Can Antitrust Law Save the Minnesota Twins? Why Commissioner Selig's Contraction Plan Was Never a Sure Deal*, 10 SPORTS LAW JOURNAL 45 (2003).
73. *Reevaluating Amateurism Standards in Men's College Basketball*, 35 UNIVERSITY OF MICHIGAN JOURNAL OF LAW REFORM 861 (2002) (student note).

Solicited Articles from Transcribed Speeches

74. *Name, Image and Likeness Rights in College Sports: Evaluating Year One of Much Overdue Reforms*, 76 UNIVERSITY OF OKLAHOMA LAW REVIEW 1 (2023) (based on speech delivered at the University of Oklahoma on October 14, 2022).
75. *Promoting College Athletes' Rights Through Economic Reform: A Healthy Confluence of Free Market Capitalism and Social Justice*, 91 UNIVERSITY OF MISSOURI KANSAS CITY LAW REVIEW 717 (2023).
76. *The NCAA, Fair Pay to Play, Antitrust Scrutiny, and the Need for Institutional Reform*, 20 WAKE FOREST BUSINESS & INTELLECTUAL PROPERTY LAW JOURNAL 177 (2020).
77. *A Prelude to Jenkins v. NCAA: Amateurism, Antitrust Law, and the Role of Consumer Demand in a Proper Rule of Reason Analysis*, 78 LOUISIANA LAW REVIEW 227 (2017).

78. *From “Too Small to Notice” to “Too Big to Fail”: The Rapid Growth of Daily Fantasy Sports and DFS Efforts to Change Illinois Gambling Law*, 66 DEPAUL LAW REVIEW 1 (2016) (solicited article).
79. *The Legal Status of Fantasy Sports in a Changing Business Environment*, 42 NORTHERN KENTUCKY LAW REVIEW 443 (2015).
80. *How Antitrust Law Could Reform College Football: Section 1 of the Sherman Act and the Hope for Tangible Change*, 68 RUTGERS LAW REVIEW 809 (2016) (keynote address).

Authored Amicus Briefs

81. *Brief or Amicus Curiae* of Antitrust, Business and Sports Law Professors in Support for the Petition for Certiorari in *Tri-City Valley Cats v. The Office of the Commissioner of Baseball* (Sup. Ct. 2023) (coauthored with John Holden and Lisa Geary).

Highlighted Op-Eds and Ideas Articles (Hyperlinks where Available)

82. ‘The Amazon of Sports’ Has Already Cornered Baseball’s Apparel Market – and Is Now on the Verge of Subsuming Baseball Cards Too (Mar. 27, 2024) (co-authored with Nathaniel Grow and John Holden).
 - Link: [‘The Amazon of Sports’ has already cornered baseball’s apparel market – and is now on the verge of subsuming baseball cards, too \(theconversation.com\)](https://theconversation.com/the-amazon-of-sports-has-already-cornered-baseball-s-apparel-market-and-is-now-on-the-verge-of-subsuming-baseball-cards-too)
83. *The Golf Merger Looks Like a Textbook Antitrust Violation*, THE ATLANTIC (Jun. 8, 2023) (solicited idea article).
 - Link: [The Golf Merger Looks Like a Textbook Antitrust Violation - The Atlantic](https://www.theatlantic.com/ideas/archive/2023/06/golf-merger-antitrust-violation/1234567/)
84. *The Big Ten’s Plan to Restart Football Subverts the Rights of Students*, THE WASHINGTON POST (Sept. 22, 2020) (co-authored with Dr. Andrew Shuman).
 - Link: [The Big Ten’s plan to restart football subverts the rights of students - The Washington Post](https://www.washingtonpost.com/sports/2020/09/22/big-ten-football-restart-students-rights/)
85. *Bread, Circuses and Baseball: Why are We Bending over Backward for MLB’s Return?*, NEW YORK DAILY NEWS (Jun. 26, 2020).
 - Link: [Bread, circuses and baseball: Why are we bending over backward for MLB’s return? – New York Daily News](https://www.nydailynews.com/sports/mlb/2020/06/26/bread-circuses-baseball-why-are-we-bending-over-backward-for-mlb-s-return/)
86. *Why Create New Gambling Laws When We Don’t Enforce Existing Ones?*, CHICAGO TRIBUNE (Jul. 29, 2019) (co-authored with John Holden).
 - Link: [Commentary: Why create new gambling laws when we don’t enforce our existing ones? – Chicago Tribune](https://www.chicagotribune.com/sports/2019/07/29/commentary-why-create-new-gambling-laws-when-we-dont-enforce-our-existing-ones/)

Government Testimony

- Testified as professor and technical expert before California Assembly Appropriations Committee about Senate Bill 206 (“Fair Pay to Play Act”) and antitrust challenges with NCAA banning California schools for allowing athlete endorsement deals. (July 9, 2019).

- Testified as a professor expert before the Massachusetts Special Commission on Online Gaming and Daily Fantasy Sports about best practices for regulating the interactive gaming and daily fantasy sports marketplace (May 2, 2017).

Featured Presentations and Keynote Addresses (Hyperlinks Provided Where Available)

- Podcast Guest, “The Different Set of Rules for Sports in Higher Ed,” *Culture in Sports Podcast*, Season 5, Episode 4 (broadcast Dec. 10, 2024) (interviewed by Dr. Jeremy Piasecki)
 - Link: [Culture in Sports Podcast Season 5 Episode 4: The Different Set of Rules for Sports in Higher Ed - YouTube](#)
- Moderator and Event Organizer, Rober Zicklin Center for Corporate Integrity Speaker Series, “Global Sportswashing: Ethics, Policy and National Image (November 13, 2024) (w/ professors Jodi Balsam, Mark Conrad, John Holden and Dionne Koller).
 - Link: <https://www.youtube.com/watch?v=SleehXls5sU>
- Keynote Speaker, “College Athletes Rights as Human Rights,” Hon. Joseph N. Nardi Symposium on Law and Justice, St. Joseph’s University, Philadelphia, PA (Oct. 1, 2024).
- Competitive Paper Session, “Sportswashing with Chinese Characteristics,” EURAM Annual Conference: General Track, Bath, England (June 27, 2024).
- Invited Paper Presenter, “Exploring the ‘Trans’ Question in Sex-Segregated Sports, Seventh Annual Sport & Discrimination Conference, University of France-Comte, Besancon, France (May 31, 2024).
 - Link: <https://www.youtube.com/watch?v=pXzdBMPcycw>
- Podcast Guest, “The Re-Monopolization of the Sports Trading Card Industry,” *Second Request from the Capitol Forum* (May 8, 2024) (w/University of Indiana professor Nathaniel Grow and Oklahoma State University professor John Holden).
 - Link: [The Re-Monopolization of the U.S. Sports Trading Card Industry - The Capitol Forum](#)
- Moderator and Event Organizer, Rober Zicklin Center for Corporate Integrity Speaker Series, “Beyond the Binary: Exploring Trans Inclusion in Sports” (April 11, 2024) (w/ Western New England Law School professor Erin Buzuvis, Carolina Coastal University professor Amanda Siegrist and University of Nebraska Kearney assistant professor Rachel Silverman).
 - Link: <https://www.youtube.com/watch?si=vd2WjkM-Alh0fLVt&v=pXzdBMPcycw&feature=youtu.be>
- Special Event Speaker (interviewed by Larry Zicklin), “Why is Baseball Entitled to an Anti-trust Exemption” *Zicklin Talks Business Webinar Series*, Zicklin School of Business, New York, NY (Feb. 13, 2024) (w/ Oklahoma State professor John Holden).
 - Link: [Zicklin Talks Business: Why is Baseball The Only Professional Sport to Have An Antitrust Exemption? - YouTube](#)
- Moderator and Event Organizer, Rober Zicklin Center for Corporate Integrity Speaker Series, “College Athletes as Employees” (Nov. 16, 2023) (w/ American University Law

School professor Jeremi Duru, Oklahoma State professor John Holden and organizer Michael Hsu).

- Link: [College Athletes as Employees With Marc Edelman, Jeremi Duru, John Holden, and Michael Hsu - YouTube](#)
- Featured Speaker for Equity Now Speaker Series, “The College Athletes Rights Movement: Antitrust, Employment and NIL” (Oct. 3, 2023) (online)
 - Link: [Equity Now | Business Law \(uconn.edu\)](#)
- Inaugural Speaker, Academy of Legal Studies in Business Centennial Speaker Series, “NIL in Student Athletics,” Online Event (Sept. 21, 2023) (w/ Latham & Watkins attorney and former UCLA women’s tennis player Kaitlin Ray; interviewed by Clemson University professor Kathryn Kisska-Schulze and Penn State University professor Dan Cahoy).
 - Link: [ALSB-Zicklin-Centennial-Series-Ep-01.mp4 | Powered by Box](#)
- Competitive Paper Session, “Exploring the ‘Trans’ Question in U.S. Sex-Segregated Sports, EURAM Annual Conference: Gender, Race and Diversity in Organizations General Track, Dublin Ireland (June 15, 2023) (w/ Amanda Siegrist).
- Special Event Speaker (interviewed by Larry Zicklin), “Is Baseball Still Our National Pastime?” *Zicklin Talks Business Webinar Series*, Zicklin School of Business, New York, NY (June 13, 2023).
 - Link: [Bing Videos](#)
- Special Event Speaker, “Comparative Issues in U.S. and Australian Protection of Young Athletes, *UC Rise Speaker Series* (April 28, 2023).
- U.S. Fulbright Scholar Guest Speaker, “NIL and College Athlete Economic Rights as Human Rights.” Speech delivered at the following times and places:
 - CQ University, Melbourne, Australia (January 24, 2023)
 - Australia, New Zealand Sports Law Association (“ANZSLA”) Adelaide Chapter, Adelaide, Australia (March 9, 2023)
 - ANZSLA Melbourne Chapter, Melbourne, Australia (March 16, 2023)
 - University of Canberra School of Business, Governance of Law School, Canberra, Australia (March 27, 2023)
 - ANZSLA Sydney Chapter, Sydney, Australia (March 30, 2023)
 - University of Sydney Law School (April 3, 2023)
- Special Event Speaker, “The Name, Image and Likeness Movement in College Sports,” *Iowa Innovation, Business and Law Center Speaker Series*, Iowa Law School, Iowa City, IA (January 17, 2023).
 - Link: [Marc Edelman: The Name, Image, and Likeness Movement in College Sports - YouTube](#)
- Keynote Address, “Name, Image, and Likeness in College Athletics,” *Oklahoma Law Review Symposium*, University of Oklahoma Law School, Norman, OK (October 14, 2022)

- Link: [2022 Oklahoma Law Review Symposium Name, Image, Likeness in College Athletics - YouTube](#)
- Special Event Speaker, “Life After Alston: UVA Professor Thomas Nachbar Interviews Professor Marc Edelman,” *University of Virginia Sports & Entertainment Law School Speaker Series*, University of Virginia Law School, Charlottesville, VA, (April 1, 2022).
- Online Special Event Speaker, “The NBA’s Controversial China Partnership,” *The Chicago Council on Global Affairs* (February 16, 2022).
 - Link: <https://globalaffairs.org/events/nbas-controversial-china-partnership>
- Special Event Speaker, “Promoting College Athletes’ Rights Through ‘NIL’ Reform: A Healthy Confluence of Free Market Capitalism and Social Justice,” *UMKC School of Law Symposium on the Arc of Race in Professional and Collegiate Sports*, University of Missouri Kansas City Law School (Zoom), (September 10, 2022).
- Special Event Speaker, “Monopolizing Sports Data,” *Hofstra IP Colloquium*, Hofstra Law School, Hempstead, NY (January 26, 2021).
- Keynote Address, “The NCAA, Fair Pay to Play, Antitrust Scrutiny, and the Need for Institutional Reform,” *Wake Forest Law School Journal of Business and Intellectual Property Law Symposium*, Wake Forest Law School, Winston Salem, NC (February 28, 2020).
- Fireside Chat, “Vaulted into Victims: Preventing Further Sexual Abuse in U.S. Olympic Sports through Unionization and Improved Governance,” *University of Arizona Law Review Special Event*, University of Arizona Law School, Tucson, AZ, (February 6, 2020).
- Keynote Address, “How Antitrust Law Could Ultimately Fix the NCAA: Section One of the Sherman Act and the Hope for Change,” *Rutgers Law Journal Symposium*, Rutgers Law School, Newark, NJ (April 3, 2015).
- Featured Debate: “Should the NCAA Receive an Antitrust Exemption,” College Athletes’ Rights and Empowerment Conference, Drexel University, Philadelphia, PA, (March 26, 2016) (w/ Donna Lopiano, Joel Maxey and Andrew Zimbalist).
 - Link: [COLLEGE ATHLETES’ RIGHTS & EMPOWERMENT CONFERENCE - YouTube](#)
- Keynote Address, “A Sure Bet? The Legal Status of Daily Fantasy Sports,” *Pace Law School Forum on Intellectual Property, Sports and Entertainment Law*, Pace Law School, White Plains, NY (March 16, 2016).
- Interview, “How Ed O’Bannon Just Disrupted College Athletics.” *Behind the Sidelines*, New York, NY (August 22, 2014).
 - [How Ed O’Bannon Just Disrupted College Athletics - YouTube](#)

- Featured Presentation, “The Business of College Athletics: Should Student-Athletes Be Paid?” University of Kansas, Robert J. Dole Institute of Politics Faculty Debate Series, University of Kansas, Lawrence, KS (April 2, 2014) (w/Alicia Jessop)
 - Link: [2014 Spring SAB Program - The Business of College Athletics: Should Student Athletes be Paid? - YouTube](#)
- Featured Presentation: “Pay to Play: Legal and Ethical Issues Surrounding College Sports and the NCAA,” Robert Zicklin Center Speaker Series, The Robert Zicklin Center for Corporate Integrity at Baruch College’s Zicklin School of Business, New York, NY (October 1, 2013).
 - Link: [Pay to play - Baruch College DML: Digital Media Library \(kaltura.com\)](#)

Additional Panel Presentations and Talks

- Panelist, “Intercollegiate Athletics: The Only Constant is Change,” Association of American Law Schools (AALS) Annual Conference, San Francisco, CA (Jan. 8, 2025) (w/ Tan Boston, Casey Faucon, Matthew Mitten and Larry Williams),
- Host, Panelist, Interviewer, and Moderator: “Reforming College Sports,” Fordham Law Review Symposium, Fordham Law School, New York, NY (Nov. 1, 2024)
 - Moderator: “Name, Image and Likeness Rights and IP Protection for College Athletes” (w/ Tan Boston, Hayley Hodson, Geoffrey Rapp, Senator Nancy Skinner, and Alfred Yen)
 - Panelist: “Antitrust and the NCAA” (w/ Bryan Bloom, Robert Boland, Michael Carrier and Dionne Koller)
 - Interviewer: “Jeffrey Kessler talks College Sports and Antitrust (w/ Jeffrey Kessler)
 - Moderator: “Labor Rights and Unionization of College Athletes (w/John Holden, Michael Hsu, Alicia Jessop and Paul McDonald)
- Moderator, “The Business of Sports: The Rise, Equity, Equality, and Future of Women’s Sports” Baruch College Alumni Association Event, Baruch College, New York, NY (Nov. 12, 2024) (w/ Sarah Axelson, VP of Women’s Sports Foundation, and Heather MacCulloch, Director of Athletics, Baruch College).
- Presenter, “College Sports, Antitrust and the Proposed House Settlement,” National Association of Attorneys General Labor & Antitrust Working Group, Online (Oct. 24, 2024).
- Panelist and Moderator: Temple Law Review Symposium, Temple Law School, Philadelphia, PA (Oct. 17, 2024)
 - Panelist: “The Impacts of the House Settlement Negotiations (w/ Jason Belzer, Steve Berman, Darren Heitner and Ken Jacobsen)
 - Moderator: “Name, Image and Likeness (w/ Mason Ashe, Jodi Balsam, Kristy Lee Bannon and Duncan Lloyd)
- Culture in Sports 2024 Annual Leadership Symposium, “There Will Be Lawyers (Proposed House v. NCAA Settlement)”: Online (October 8, 2024) (w/ Bob Boland, Michael LeRoy, Andy Schwarz, Brandon Wright, Michael Chapman, and Debbie Spander).

- Link: [2024 Annual Leadership Summit - Yes, There Will Be Lawyers - Led by Shumaker - YouTube](#)
- American Bar Association Antitrust Law Section and Sports Law Section Panel Discussion, NYU Law School: New York, NY, “Game On: Navigating the Crossroads of Antitrust and Sports Law (Feb. 27, 2024) (w/ Paul Saint-Antonine, Johanna Rae Hudgens and Joshua Snyder).
- Sports and Recreation Law Association Conference, Baltimore, MD, “Baseball’s Anticompetitive Antitrust Exemption,” Conference, National. (February 21, 2024).
- American Bar Association Antitrust Law Section Panel Discussion, Online, “Teeing Up the PGA Tour-LIV Golf Merger (Sept. 14, 2023).
- Academy of Legal Studies in Business Annual Conference, San Diego, CA, “Recent Legal Developments in College Sports” (July 27, 2023).
- Academy of Legal Studies in Business Annual Conference, Louisville, KY “Presenting The Collegiate Employee Athlete” (July 26, 2023).
- Academy of Legal Studies in Business Annual Conference, Louisville, KY, “Recent Developments in Sports Law” (July 30, 2022).
- Academy of Legal Studies in Business Annual Conference, Louisville, KY “Presenting A Short Treatise on College Athlete Name, Image, and Likeness Rights”. (July 30, 2022)
- 25th Annual Fordham Sports Law Symposium, Fordham University School of Law, New York, NY, "The Big Business of College Athletics", Conference, National. (March 11, 2022).
- 10th Annual NYU Law School Sports Law Colloquium, NYU Law School, New York, NY, "The Rise of Legalized Sports Gambling", Conference. (March 4, 2022).
- Robert Zicklin Center Speaker Series, The Robert Zicklin Center for Corporate Integrity at Baruch College’s Zicklin School of Business, New York, NY, "The Law and Ethics of Legal Sports Gambling in New York". (February 9, 2022).
- National Association of Attorney Generals, Antitrust and Labor Issues Working Group, “An Update on College Athletes Rights and Antitrust”. (Oct. 18, 2021).
- Academy of Legal Studies in Business Annual Conference, Zoom, “Presenting *Monopolizing Sports Law*”. (August 3, 2021).
- Touro Law School Sports Law Symposium, Zoom, “Predicting *Alston v. NCAA*”. (April 16, 2021).

- Robert Zicklin Center Speaker Series, The Robert Zicklin Center for Corporate Integrity at Baruch College's Zicklin School of Business, New York, NY, "How NCAA Pay Rules Affect Female Athletes". (April 14, 2021).
- 24th Annual Fordham Sports Law Symposium, Fordham University School of Law, New York, NY, "Examining the Evolution of Athletes' Rights and Advocacy", Conference, National. (March 19, 2021).
- Sports and Recreation Law Association Conference, Zoom, "Antitrust Issues in Sports Betting Data", Conference, National. (February 26, 2021).
- American Bar Association Panel Debate, American Bar Association, Zoom, "College Sports in the Supreme Court". (December 4, 2020).
- University of Virginia Sports & Entertainment Law School Speaker Series, University of Virginia Law School, Zoom, "Chartering a Future of Intercollegiate Athletics Without the NCAA". (November 6, 2020).
- Robert Zicklin Center: One-on-One with Larry Zicklin, The Robert Zicklin Center for Corporate Integrity at Baruch College's Zicklin School of Business, New York, NY (Zoom), "College Football, COVID and Dollars: the NCAA's Ethical Obligations to Student-Athletes". (October 22, 2020).
- Harvard Law School Sports Law Symposium, Harvard Law School, Cambridge, MA (Zoom), "Legal Issues in Esports", Conference. (October 20, 2020).
- National Association of Attorney Generals Antitrust and Labor Issues in College Sports, National Association of Attorney Generals, Zoom, "Antitrust and Labor Issues in College Sports". (October 15, 2020).
- Robert Zicklin Center Speaker Series, The Robert Zicklin Center for Corporate Integrity at Baruch College's Zicklin School of Business, New York, NY, "Native American Imagery in Sports: Is this a Whole New Ball Game?". (September 12, 2020).
- University of Florida Law School Sports Law Program, Florida Law School, Gainesville, FL, "Name, Image and Likeness in College Sports", Conference. (August 18, 2020).
- University of Pennsylvania Law School's 7th Annual Sports Law Symposium, University of Pennsylvania Law School, Philadelphia, PA, "Sports Gambling and Fantasy Sports After the Supreme Court Decision in Murphy v. NCAA". (February 21, 2020).
- University of Baltimore Law School Presentation, University of Baltimore Law School, Baltimore, MD, "The Importance of Protecting Student Athletes and Olympic Athletes from Abuse and Exploitation". (October 3, 2019).
- SLA Conference Academic Paper Session, Sports Lawyers Association, Phoenix, AZ, "Reforming U.S. Women's Gymnastics". (May 15, 2019).

- 23th Annual Fordham Sports Law Symposium, Fordham University School of Law, New York, NY, "Sports Gambling and Fantasy Sports", Conference, National. (February 22, 2019).
- University of Pennsylvania Law School's 6th Annual Sports Law Symposium, University of Pennsylvania Law School, Philadelphia, PA, "Power in Numbers: The Benefits of Unionization and the Challenges Players Associations Confront". (February 22, 2019).
- 6th Annual NYU Law School Sports Law Colloquium, NYU Law School, New York, NY, "Intellectual Property Issues in Sports Gambling", Conference. (February 15, 2019).
- St. John's Law School Speaker Series, St. John's Law Review and St. John's Sports and Entertainment Law Society, Queens, NY, "Colin Kaepernick, Donald Trump and NFL Players' Rights to Protest", Conference. (February 5, 2019).
- Federal Bar Association, Eastern District of Pennsylvania, Speaker Series, Drinker Biddle, Philadelphia, PA, "Sports Gambling in the Aftermath of Murphy v. NCAA", Conference. (February 4, 2019).
- Cardozo Arts & Entertainment Law Journal Speaker Series, Cardozo Arts & Entertainment Law Journal, New York, NY, "Free Speech in Sports". (October 4, 2018).
- Grinnell College Rosenfeld Program in Public Affairs, Speaker Series, Grinnell College Rosenfeld Program in Public Affairs, International Relations and Human Rights, Grinnell, IA, "Off the Field: Addressing the Intersection of Sports and Politics, Economics and Society", Conference, National. (September 13, 2018).
- 18th Annual Conference of the European Academy of Management, Sports Track, European Academy of Management (EURAM), Reykjavik, Iceland, "Redesigning U.S. Intercollegiate Athletics to Better Conform With UNESCO's Best Practices in Student Affairs". (June 21, 2018) (w/ Thomas Baker)
- Southwestern University of Finance and Economics (China) Speaker Series, SWUFE School of Sports Science and Physical Education, Chengdu, Sichuan Province, China, "The Compensation and Equitable Treatment of College Athletes: A Distinctly American Problem", Conference. (April 8, 2018).
- University of Pennsylvania Law School's 5th Annual Sports Law Symposium, University of Pennsylvania Law School, Philadelphia, PA, "Big League Litigation". (February 9, 2018).
- Cardozo Sports & Entertainment Law Society, Cardozo Sports & Entertainment Law Society, New York, NY, "Ezekiel Elliott, Colin Kaepernick and Player Discipline in the NFL". (October 26, 2017).
- 17th Annual Saratoga Institute on Equine, Racing and Gaming, Albany Law School & American Bar Association Business Law Section, Saratoga, NY, "Legalization of Sports Betting". (August 9, 2017).

- 6th Annual Sports Law Colloquium, New York University Law School, New York, NY, "Team Relocation and League Expansion", Conference, National. (April 14, 2017).
- 21th Annual Fordham Sports Law Symposium, Fordham University School of Law, New York, NY, "Pay for Play for Student Athletes: Applying Antitrust Laws to the NCAA", Conference, National. (March 24, 2017).
- Fifth Annual Cardozo Sports Law Symposium, Cardozo Law School, New York, NY, "On the Future of Sports Gambling". (March 9, 2017).
- 30th Annual Sport and Recreation Law Conference, Sport and Recreation Law Association ("SRLA"), Las Vegas, NV, "Winners and Losers under America's New Daily Fantasy Sports Laws". (March 3, 2017).
- Blurring Line\$: Emerging Trends and Issues in Sports and Gaming Law, LSU Law School & Louisiana Law Review, Baton Rouge, LA, "Emerging Trends: College Sports After O'Bannon v. NCAA". (January 27, 2017).
- Cardozo Gaming Law Association, Cardozo Law School, New York, NY, "Fantasy Sports, Gaming Law, and Assessing Legal Risk". (November 9, 2016).
- The Changing Landscape of Intercollegiate Athletics: Legal and Business Issues, Marquette University, National Sports Law Institute, Milwaukee, MI, "Amateurism, Economics, Employment and Pay within Collegiate Athletics". (October 21, 2016).
- ABA Business Law Section on Gaming Law, American Bar Association, Section on Business Law, Boston, MA, "Legal Issues in Fantasy Sports and Sports Gambling". (September 9, 2016).
- Robert Zicklin Center Speaker Series, The Robert Zicklin Center for Corporate Integrity at Baruch College's Zicklin School of Business, New York, NY, "Native American Imagery in North American Sports: Fair or Foul?". (September 8, 2016).
- 16th Annual Saratoga Institute on Equine, Racing and Gaming Law, Albany Law School, Saratoga, NY, "Blurring the Line: Implications of the Next Generation of Gaming Including Fantasy Sports", Conference. (August 10, 2016).
- National Council on Problem Gambling Sports Summit, National Council on Problem Gambling, Tarrytown, NY, "Daily Fantasy Sports", Conference. (July 13, 2016).
- 20th Annual Fordham Sports Law Symposium, Fordham University School of Law, New York, NY, "Daily Fantasy Leagues", Conference, National. (April 1, 2016).
- Fourth Annual Cardozo Sports Law Symposium, Cardozo Law School, New York, NY, "Addressing Current Legal Issues in Daily Fantasy Sports". (March 18, 2016).

- Town Hall Discussion on Sports, Gambling, and Online Sports Gambling, University of New Hampshire, Concord, NH, "The Legal Status of Fantasy Sports", Conference, National. (March 17, 2016).
- 20th Annual Tribal Law & Government Conference, University of Kansas, Lawrence, KS, "Sports Commissioners' Powers to Curb Native American Mascots", Conference, National. (March 11, 2016).
- 26th Annual DePaul Law Review Symposium, DePaul Law School, Chicago, IL, "Daily Fantasy Sports and Sports Gambling", Conference, National. (March 4, 2016).
- 3rd Annual Penn Law Sports Law Symposium, Penn Sports & Entertainment Law Society, Philadelphia, PA, "The Evolving Role and Legal Position of Daily Fantasy Sports", Conference, National. (February 19, 2016).
- The Big Business of the Game: Wake Forest Journal of Business and Intellectual Property Law Symposium, Wake Forest Law School Journal of Business and Intellectual Property Law, Winston Salem, NC, "Legal Issues in Daily Fantasy Sports", Conference. (February 5, 2016).
- Duke Law Sixth Annual Sports & Entertainment Law Symposium, Duke Law School, Durham, NC, "Legal Issues in Daily Fantasy Sports", Conference. (January 15, 2016).
- Arena Football League Players Union Annual Meeting, Arena Football League Players Union, Atlanta, GA, "Basics in Antitrust Law, and the Players' Rights Movement", Conference. (December 4, 2015).
- Valparaiso Sports Law Symposium, Valparaiso Law School, Valparaiso, Indiana, "Morals Clauses AND Legal Issues in Daily Fantasy Sports", Conference. (November 13, 2015).
- NY City Bar Ass'n Sports Law Committee., NY City Bar Association, New York, NY, "Legal Issues in Daily Fantasy Sports". (November 11, 2015).
- 5th Annual Mississippi Sports Law Review Symposium, University of Mississippi Law School, Oxford, MI, "Game Change: The NCAA's New Autonomy Structure", Conference. (November 6, 2015).
- Academy of Legal Studies in Business 2015 Annual Conference, Academy of Legal Studies in Business, Philadelphia, PA, "Current Legal Issues in Sports Industry: A 2014-15 Year in Review", Conference, National. (August 9, 2015).
- Where Fantasy Meets Reality: An Overview of the Legal Issues in the Fantasy Sports Industry, Practicing Law Institute, Phone Conference, "Where Fantasy Meets Reality: An Overview of the Legal Issues in the Fantasy Sports Industry". (July 8, 2015).
- The Sports Report: Sports, Consumer Protection, and Antitrust – What's Hot in 2015, American Bar Association, Consumer Protection Committee, Teleconference Presentation, "Legal Issues in Fantasy Sports". (June 16, 2015).

- Nassau County Bar Association, Committee on Sports, Entertainment and Media Meeting, Nassau County Bar Association, Mineola, NY, "Sports Law: NCAA Lawsuits and Potential Fantasy Sports Litigation". (June 11, 2015).
- 4th Annual NYU Law School Sports Law Colloquium, NYU Law School, New York, NY, "Solving Football's Off-Field Crisis", Conference. (April 3, 2015).
- New York State Bar Association's Nineteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "The Power of the Public: How Fans Affect Team Ownership & League Management", Conference. (April 1, 2015).
- The New Era in Gaming Law Symposium, Northern Kentucky University Chase College of Law, Highland Heights, Kentucky, "Legal Issues in Fantasy Sports". (March 20, 2015).
- First Annual Fordham Law School Media & Entertainment Law Symposium, Fordham Law School Media & Entertainment Law Society, New York, NY, "Right of Publicity in Commercial Video Games", Conference, Local. (March 6, 2015).
- New York City Bar Association, Legal History Committee, New York City Bar Association, New York, NY, "Legal History of NCAA Amateurism", Conference, Local. (March 2, 2015).
- Penn Law Sports Law Symposium, University of Pennsylvania Law School, Philadelphia, PA, "The Emergence of Conglomerate Sports Agencies Including those with an Entertainment Representation Component", Conference, National. (February 13, 2015).
- Richard E. Nelson Symposium, University of Florida Law School, Gainesville, FL, "Using Eminent Domain to Build Sports Stadiums and Arenas", Seminar, National. (February 6, 2015).
- New York State Bar Association, Antitrust Committee Annual Meeting, New York State Bar Association, New York, NY, "Amateur In Name Only? The Intersection Between Antitrust Law and College Athletics", Panel, Regional. (January 29, 2015).
- Antitrust and the NCAA: The O'Bannon Litigation and More, American Bar Association, Section of Antitrust Law, Washington, D.C. (Phone Participant), "Analysis of District Court Decision in O'Bannon v. NCAA". (December 5, 2014).
- Association of Corporate Counsel Annual Meeting, Association of Corporate Counsel, New Orleans, LA, "Fantasy Sports & the Law". (October 29, 2014).
- Sports Law Works in Progress Conference, Marquette Law School, Milwaukee, WI, Panel, State. (October 18, 2014).
- Panel Discussion on College Athlete Unionization, New York City Chapter of the Labor and Employment Relations Association, New York, NY, Panel, State. (September 18, 2014).

- Third Annual NYU Sports Law Colloquium, NYU Law School, New York, NY, "The Future of the NCAA", Conference. (April 15, 2014).
- University of Oregon Sports Law Symposium, University of Oregon Law Review, Eugene, OR, "The NCAA In Crisis: The Crossroads of Intercollegiate Sports", Conference. (April 11, 2014).
- University of Florida 2014 Sports Law Symposium, Florida Law School, Gainesville, FL, "Amateurism and Collegiate Athletes", Conference. (April 4, 2014).
- Second Annual Cardozo Sports Law Symposium, Cardozo Law School, New York, NY, "The Rising Popularity of Participating in Fantasy Sports for Cash". (March 28, 2014).
- DePaul Journal of Sports Law & Contemporary Problems 2014 Symposium, DePaul Law School, Chicago, IL, "From Labor Law to Antitrust Law: Different Strategies To Increase Student-Athlete Rights", Conference. (March 7, 2014).
- The Inaugural Penn Law Sports Law Symposium, University of Pennsylvania Law School, Philadelphia, PA, "A Blurred Line: Issues Surrounding the Transition from Amateur to Professional Status in Sports", Conference. (February 28, 2014).
- New York State Bar Association's Eighteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "Should Some Advantages be Allowable? The Argument Surrounding the Permissibility of Performance Enhancement", Conference. (February 14, 2014).
- New York State Bar Association's Eighteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "The New Face of Sports Agency: The Runner Rule and Roc Nation's Challenge to Traditional Notions of Athlete Representation", Conference. (February 14, 2014).
- 16th Annual Federalist Society Faculty Meeting, Federalist Society, New York, NY, "The NCAA's 'Death Penalty' Sanction: Reasonable Self-Governance or an Illegal Group Boycott in Disguise?", Conference. (January 4, 2014).
- Arizona State University Sandra Day O'Connor College of Law Fourth Annual Conference on Sports and Entertainment Law, Arizona State University Sandra Day O'Connor College of Law, Tempe, AZ, "Steroids and Drug Testing". (November 9, 2013).
- Rutgers University School of Law-Camden 3rd Annual Sports & Entertainment Law Symposium, Rutgers School of Law-Camden, Camden, NJ, "NCAA Amateurism and the Business of College Sports". (November 7, 2013).
- Lewis & Clark Law Review Symposium, Lewis & Clark Law School, Portland, OR, "Why Professional Athletes File for Bankruptcy". (October 4, 2013).

- New York State Bar Association's Seventeenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "Congressional Regulation in Sports", Conference. (April 19, 2013).
- Harvard Law School Sports Law Symposium, Harvard Law School, Cambridge, MA, "The Sports Stadium Experience", Conference. (March 28, 2013).
- DePaul Journal of Sports Law & Contemporary Problems 2013 Symposium, DePaul Law School, Chicago, IL, "Hurdles: Legal Issues a Modern Athlete Must Overcome", Conference. (March 8, 2013).
- Brooklyn Entertainment and Sports Law Society's Fourth Annual Panel Discussion, Brooklyn Law School, Brooklyn, NY, "Sports Law: Collision of Interests? Ethical Issues in the Representation of Athletes". (November 10, 2012).
- Meeting of NY County Bar Association's Entertainment, NY County Bar Association, New York, NY, "'Lin'tellectual Property: IP Issues in Representing Professional Athletes", Panel. (May 17, 2012).
- New Jersey State Bar Association Annual Meeting on Internet Gaming and Sports Wagering, New Jersey Bar Association, Atlantic City, NJ, "Legal Issues in Online Gaming and Fantasy Sports", Conference. (May 16, 2012).
- New York State Bar Association's Sixteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "The Globalization of American Sports", Conference. (March 30, 2012).
- DePaul Journal of Sports Law & Contemporary Problems 2013 Symposium, DePaul Law School, Chicago, IL, "Money & Sports: Economic Realities of Being an Athlete", Conference. (March 2, 2012).
- New York Law School Sports Law Symposium, New York Law School, New York, NY, "The Legal Status of Amateur Athletics", Conference. (November 4, 2011).
- Meeting of the NYC Bar Association Legal History Committee, NYC Bar Association, New York, NY, "Baseball and its Historic Antitrust Exemption", Roundtable. (June 20, 2011).
- New York State Bar Association's Fifteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "The Long-Term Effect of Concussions and Potential Legal Liability", Conference. (April 1, 2011).
- Harvard Law School Sports Law Symposium, Harvard Law School, Cambridge, MA, "The Changing Face of Intercollegiate Athletics", Conference. (March 25, 2011).
- DePaul Law School Sports Law Symposium, DePaul Law School, Chicago, IL, "Compliance in the World of Sports", Conference. (March 4, 2011).

- Villanova Law School Sports & Entertainment Law Symposium, Villanova Law School, Villanova, PA, "Implications of the Supreme Court's Ruling in American Needle", Conference. (January 29, 2011).
- New York Law School Sports Law Symposium, New York Law School, New York, NY, "Current Issues in Sports Law", Conference. (November 12, 2010).
- Seton Hall University Sports & Entertainment Law Symposium, Seton Hall School of Law, Newark, NJ, "Antitrust Issues Stemming from the Phoenix Coyotes Bankruptcy Petition", Conference. (April 13, 2010).
- New York State Bar Association's Fourteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "The Likely Impact on Sports Leagues of American Needle v. Nat'l Football League", Conference. (March 26, 2010).
- Widener Law School Sports & Entertainment Law Symposium, Widener Law School, Wilmington, DE, "The Perfect Storm: Collective Bargaining in Major Sports 2011", Conference. (February 24, 2010).
- Winter Meeting, Pace Law School Alternative Dispute Resolution Society, Pace Law School, White Plains, NY, "Alternative Dispute Resolution in Real and Fantasy Sports", Conference. (February 2, 2010).
- University of Florida Sports Law Symposium, Florida Law School, Gainesville, FL, "Bargaining Collectively (Discussing the Baseball, Basketball and Football Collective Bargaining Agreements)", Conference. (January 29, 2010).
- Stetson Law School Junior Faculty Colloquium (for Florida law professors), Stetson University, Gulfport, FL, "American Needle v. NFL and the Future of Pro Sports' Single Entity Defense", Conference. (November 13, 2009).
- New York University Sports & Entertainment Law Society Meeting, NYU Law School Sports & Entertainment Law Society, New York, NY, "Can the NFL Permanently Suspend Michael Vick?", Session. (April 20, 2009).
- New York State Bar Association's Thirteenth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "Gambling in Sports: The Final Line Between Fantasy Sports and Illegal Activity", Conference. (April 17, 2009).
- New York Law School Media, Entertainment & Sports Law Symposium, New York Law School, New York, NY, "The Problem with Age Limits in Professional Sports Leagues", Conference. (March 25, 2009).
- Harvard Law School Sports Law Symposium, Harvard Law School, "The Ethics of Building New Sports Stadiums During the Recession", Conference. (March 13, 2009).
- University of Florida Sports Law Symposium, Florida Law School, "Labor Issues in Professional Sports", Conference. (January 23, 2009).

- Seton Hall University Sports & Entertainment Law Symposium, Seton Hall Law School, Newark, NJ, "Commissioner Suspensions and Antitrust Law", Conference. (November 7, 2008).
- Villanova Law School Sports & Entertainment Law Journal Symposium, Villanova Law School, Villanova, PA, "The House that Taxpayers Built: Exploring the Rise in Publicly Funded Baseball Stadiums", Conference. (October 25, 2008).
- New York City Bar Association, Entertainment, Media, IP & Sports Committee Meeting, New York City Bar Association, New York, NY, "Right to Publicity and the Fantasy Football and Baseball Cases", Session. (October 7, 2008).
- University of Michigan Law School Sports Law Society Meeting, University of Michigan Law School Sports Law Society, Ann Arbor, MI, "How to Land a Job in Sports Law", Session. (October 2, 2008).
- New York State Bar Association Meeting, New York State Bar Association, New York, NY, "Athletes' Names & Stats: Intellectual Property or Fantasy", Seminar. (June 26, 2008).
- New York State Bar Association's Twelfth Annual Symposium on Current Legal Issues in Sports Law, Fordham Law School, New York, NY, "NCAA Law & Ethics", Panel. (April 11, 2008).
- New York Law School IP Surprise Lecture Series, New York Law School Institute for Information Law & Policy, New York, NY, "Is There a Property Right in Sports Statistics?". (April 10, 2008).
- Edelman, M., Hofstra Law School Sports Law Society Meeting, Hofstra Law School, Hempstead, NY, "Breaking Into the Sports Industry", Panel. (October 10, 2007).
- Edelman, M., Manhattanville College's First Annual Symposium on Best Practices in the Sports World, Center for Ethics in Sports at Manhattanville, Purchase, NY, "Ethical Issues in Sports Agency", Conference. (May 19, 2007).

Law School Curriculum Consulting

- Retained by Seton Hall Law School in Newark, NJ to provide curriculum and education consulting services related to launch of Sports, Gaming and Hospitality Law program (2019-20).

Notable Service to the Academy

- Member of Section Committee for Fulbright U.S. Scholar Award, Fulbright Australia (January 2024 – Present)
- Member, CUNY Chancellor's Advisory Committee on Jewish Life, Subcommittee on Institutional and Experiential Data (Antisemitism Advisory) (September 2023 – Present)

- Director of Sports Ethics at the Robert Zicklin Center for Corporate Integrity, Baruch College (January 2021-Present)
- Baruch College Faculty Athletics Representative to the National Collegiate Athletic Association (2016 – 2020).
- Faculty Advisor to Black Law Students Association, Barry Law School (2011 –13)
- Faculty Advisor to the Jewish Law Students Association, Barry Law School (2010 13)
- Member of Mission Effectiveness Committee, Barry Law School (2009-10).

Awards

- Fulbright U.S. Scholarship, awarded to study and conduct research on the comparative governance of sports at the University of Canberra in Canberra, Australia in Spring 2023 (originally awarded for the Spring 2021 semester; delayed due to COVID-19 travel ban).
- Abraham Briloff Faculty Prize in Ethics, awarded annually by Baruch College to one faculty member who has written an important topical article, essay or book on ethics (awarded April 4, 2022 for publication entitled “After Alston: Reimagining the Governance Structure of College Sports for the Twenty-First Century”).
- Best Paper, awarded by the Sports and Entertainment Section of the Academy of Legal Studies in Business (July 2023 conference) (“The Collegiate Employee Athlete” w/ John Holden and Michael McCann).
- Best Paper, awarded by the Sports and Entertainment Section of the Academy of Legal Studies in Business (August 2020 conference) (“A Short Treatise on Sports Gambling” w/ John Holden).
- Virginia Maurer Award for Best Ethics Paper, awarded by the Academy of Legal Studies in Business (August 2018 conference) (“Vaulted into Victims” w/ Jen Pacella).
- Distinguished Proceedings Award, awarded by the Academy of Legal Studies in Business (August 2018 conference) (“Vaulted into Victims” w/ Jen Pacella).
- Baruch College Teaching Excellence Award, awarded by the Baruch College administration (May 2015).
- Professor of the Year, awarded by Entire Student Body, Barry University Dwayne O. Andreas School of Law (2012-13).

Other Achievements

- Cited by media on over 500 occasions, including by the *Chicago Tribune*, *San Francisco Chronicle*, *New York Times*, *Washington Post* and *Wall Street Journal* (full media list available upon request).
 - Sampling of online video and audio links:

- Fordham IPLJ Podcast Episode 70: The Past, Present and Future of NIL and the NCAA with Marc Edelman (Fall 2022); 32 minute interview
 - Link: [Fordham IPLJ Podcast Ep. 70: The Past, Present, and Future of NIL and the NCAA with Marc Edelman - YouTube](#)
- Behind the Scenes, The Deal: How Ed O'Bannon Just Disrupted College Athletics (August 2014); nine minute video
 - Link: [How Ed O'Bannon Just Disrupted College Athletics - YouTube](#)
- Published mainstream articles/idea pieces/op eds on sports law topics as a contributor for *the Atlantic*, *Forbes.com* (more than 300 publications), *Miami Herald*, *Sports Business Journal*, *U.S. News*, *Wall Street Journal Reports*, and *Washington Post*.

Law Practice Experience

Dewey Ballantine LLP: New York, NY

- Associate, Sports/Entertainment Practice Groups (2006 – 2008)

Skadden, Arps, Slate, Meagher & Flom LLP: New York, NY

- Associate, Antitrust Practice Group (2003 – 2006)
- Summer Associate, Antitrust Practice Group (Summer 2002)

Education

The University of Michigan Law School: Ann Arbor, MI

J.D., *cum laude*

- Recipient of John M. Olin Student Fellowship in Law & Economics
- Awarded membership to Scribe's Society (best student note on each journal)
- Recipient of Book Award, Sports Law (highest grade in course)

Marx School of Public and International Affairs, Baruch College (CUNY): New York, NY

M.S. Ed. (Higher Education Administration) 4.00 GPA

- Recipient of the Baruch College Alumni Association Graduate Award in Education (granted to the MS in Education student with the highest cumulative GPA).

University of Michigan School of Kinesiology: Ann Arbor, MI

M.A (Sports Management). 8.33 GPA (A/A+ average)

The Wharton School, University of Pennsylvania: Philadelphia, PA

B.S. (Economics), *magna cum laude*